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SUBJECT: GEORGIA: PARLIAMENTARY COMMISSION INVESTIGATES AUGUST ACTIONS

Classified By: Charge d'Affaires Kent D. Logsdon for reasons 1.4 (b) and (d).

¶1. (SBU) Summary: An Ad-hoc Parliamentary Commission investigating the Georgian-Russian war of August 2008 began its hearings on October 25. The Commission was designed to obtain evidence from government officials, who "were directly or indirectly involved in decision-making during the August events." The Commission is chaired by the leader of the opposition party "We Ourselves," MP Paata Davitaia. The Commission is comprised of nine MPs, including three from the opposition. All of the Commission hearings are public and broadcast live on Georgian TV. Certain sections of the hearings, considered to be sensitive, are currently closed for the press. According to Davitaia, even these parts may eventually be declassified, as "they shed light on many important questions and should be disclosed for the public benefit." He said the Commission's goal "is not to determine who fired first on August 7, but rather assess the government's actions, and also to determine if it could have acted differently." Several significant leaders have testified, and more are scheduled. It remains to be seen whether President Saakashvili will also testify. Note that complete testimony is available o-line at: www.civil.ge.
End summary.

¶2. (C) Comment: Such an investigatory commission, conducted live before the Georgian public -- and chaired by an opposition MP -- is a new achievement in Georgia. While the commission does not have direct authority to mandate changes, it is being given open access to question those in the government involved in the conflict. Davitaia told poloff that parliament modeled the investigatory commission on the 9/11 Commission, as a means to bring actions of government leaders into the public sphere. As expected, those who have testified have stressed that the armed conflict was a result of targeted Russian aggression and intervention, leaving the government no choice but to respond and try to protect Georgian civilians in South Ossetia. Furthermore, they have largely agreed the denial of MAP (at April's NATO Bucharest Summit) not only gave Russia an opening to increase pressure on Georgia, but indeed encouraged Russia to invade Georgia now since NATO declared Georgia "would become a member in the future." The Commission is, however, also asking serious questions about domestic politics, and the answers do not appear to be scripted. The fact that Davitaia, both a opposition parliamentarian and an IDP himself, was chosen to head the commission shows the review of August events is not meant to be merely a show of support for the Saakashvili government but rather a serious inquiry. Public reaction to the Commission's work remains to be seen, but general interest is high. Overall, the Commission is an important step in increasing government transparency, which can not only generate goodwill but also help the country and Parliament reconcile the government's actions in August and ensuing consequences. How the administration or Parliament will use the results of the Commission is unknown, but so far it is a positive, necessary -- and genuine -- exercise in

representative government and national accountability.

COMPOSITION OF THE COMMISSION

¶13. (U) The Commission consists of ten members, half opposition and half from the ruling United National Movement (UNM) party. Chairman of the Commission is Paata Davitaia, leader of the opposition party "We Ourselves" and a former leader of the opposition party "We Ourselves" and a former member of the United Opposition. Interestingly, Davitaia is also an IDP from the 1993 Abkhaz conflict and his wife is Abkhaz. Other opposition members include: Vice-Speaker Levan Vepkhvadze (Christian-Democratic Movement), Nikoloz Laliashvili, Dmitri Lortkipanidze, and Ramaz Tedoradze. UNM members include: Givi Targamadze (Chair of Defense Committee), Giorgi Gabashvili, Khatuna Gogorishvili, Gia Goguadze, and Akaki Minashvili.

GELA BEZHUASHVILI, HEAD OF INTELLIGENCE

¶14. (U) At the first hearing on October 25, Intelligence Department Head Gela Bezhuaashvili and Foreign Minister Eka Tkeshelashvili testified before the Commission. Answering direct questions from the Commission members, Bezhuaashvili emphasized Russia's motivation to militarily intervene in Georgia to thwart Georgia's strengthening statehood, its pro-western course, and some positive development in conflict resolution (especially in the Tskhinvali district). In response to a question from Givi Targamadze, Head of the Defense and Security Committee, Bezhuaashvili conceded that the NATO Bucharest Summit, which denied MAP membership to Georgia, amounted to giving Russia an "indirect veto" and untied Russia's hands.

TBILISI 00002016 002 OF 003

FM EKA TKESHELASHVILI

¶15. (U) Tkeshelashvili emphasized that the conflict was not only about Georgia's separatist regions, but was part of a bigger picture, involving Russia's geopolitical ambitions of restoring its empire. Georgia's success in its Euro-Atlantic integration and its role as an energy transit route was perceived by Russia as a major threat to its regional interests. Tkeshelashvili spoke about President Saakashvili's proposal to his Russian counterpart on a staged settlement in Abkhazia and Russian's subsequent rejection of the plan. Tkeshelashvili also stressed that there was no major readiness among the international community to confront Russia, as it was surmised that Russia's stance could be changed through prolonged negotiations.

MINISTER FOR REINTEGRATION TEMUR YAKOBASHVILI

¶16. (U) At the second hearing, held October 27, the Commission heard testimony from State Minister for Reintegration Temur Yakobashvili and NSC Secretary Alexander (Kakha) Lomaia. Yakobashvili spoke about the Georgian government's latest steps to initiate talks with Tskhinvali and Sukhumi, and to change ineffective negotiating and peacekeeping formats. He emphasized that after Russia's withdrawal from CIS sanctions, and the April 16 decision to establish direct contacts with the separatist regions, it became clear that Russia was "getting ready for something." So, the GOG stepped up its diplomatic efforts to no avail. Yakobashvili stressed that President Saakashvili did not order troops to capture Tskhinvali.

NATIONAL SECURITY CHAIRMAN KAKHA LOMAIA

¶17. (U) NSC Secretary Lomaia commented on Georgian Peace Keeping Force (PKF) Commander Mamuka Kurashvili's publicly-reported statement during the conflict that he would "restore the constitutional order of Georgia (in Tskhinvali)." Lomaia said that Kurashvili's statement was not sanctioned and was wrong "in its essence." Lomaia,

following Yakobashvili's statement that Saakashvili did not order the taking of Tskhinvali, said that the President gave three orders to Georgia's armed forces: 1) stop a convoy of Russian tanks advancing on Tskhinvali; 2) neutralize firing positions targeting Georgian villages; and 3) ensure minimal casualties among civilians.

PKF GENERAL MAMUKA KURASHVILI

¶18. (U) During the third hearing held October 28, the Commander of Georgia's PKF Battalion Mamuka Kurashvili and his superior, Chairman of the Joint Chiefs of Staff Zaza Gogava, testified before the Commission. Much controversy had emerged regarding Kurashvili's above statement on restoring "constitutional order." During his testimony, he said that his August 7 remarks were "impulsive, and not authorized by his superiors."

CHAIR OF JOINT CHIEFS GOGAVA

¶19. (U) Gogava also testified before the Commission on October 28. His public testimony lasted over three hours, the longest to date, and provided much detail on Georgian MOD actions in and around Tskhinvali. Gogava described Russian actions as changing significantly around August 9, a theme that other leaders have also keyed on. He said the MOD was not prepared for the "full-scale Russian aggression with the goal of invading Tbilisi" that began on that day. Still, he rebuffed suggestions that the MOD had overestimated their own capabilities, saying "a military man would make a mistake if he underestimated his enemy." When asked who ordered him to launch military operations, Gogava replied that the decision to put the military on its highest alert was made in agreement with President Saakashvili at 2:00 PM on August 7. Qagreement with President Saakashvili at 2:00 PM on August 7. He deferred additional details to the closed session.

HEARINGS CONTINUE

¶10. (U) The Commission will also hear testimony from Minister of Internal Affairs Vano Merabishvili, although his hearing has yet to be scheduled. According to Davitaia, the Commission also intends to invite Saakashvili. However, the Commission cannot compel the President to testify, and it remains to be seen if he will.

RADICAL OPPOSITION DISMISSIVE

¶11. (U) The non-Parliamentary opposition dismissed the Commission from its inception, demanding instead an

TBILISI 00002016 003 OF 003

"independent" investigatory commission be created. Recently these opposition representatives claimed that Saakashvili should not have nominated a new prime minister or initiated any cabinet changes until the Commission completed its work. Saakashvili rebutted this criticism, saying that any possible cabinet changes will not hinder the Commission work. Instead, he called on the Commission to continue its investigation, and said that all former or remaining cabinet members "will continue cooperation with the Commission." The non-parliamentary opposition will likely reject any and all of the Commission's conclusions. In the meantime, opposition parliamentarian Davitaia, who chose to retain his seat, chairs the hottest ticket in town and is daily providing evidence of the possibility for a genuine opposition within Parliament.

NOT A STAGE SHOW

¶12. (SBU) While the Georgian Parliament has had investigatory commissions in the past, none has tackled such a critical issue in such a transparent manner. The witnesses are coming to the hearings well prepared, but this fact does not prove that the hearings are staged, as some radical oppositionists allege. The questions fielded are direct, and the presence

of opposition MPs (including Davitaia, himself a former prosecutor) precludes the possibility of this commission providing only a one-sided view of August's events. In many cases the commissioners are using questions from their constituents and prominent thinkers which have been posed publicly.

LOGSDON